

**EXHIBIT H
TO PLAINTIFF'S COMPLAINT**

Subject: FW: Letter of Concern regarding N00421-22-9-0003 / E-2D MCAP Project with JFTI

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Good Morning Glen,

Please confirm receipt of the below as received from the Government, and provide JFTI's response to CMG as soon as possible but NLT 2pm EST November 18th.

"Modification P00002 to prototype project agreement number N00421-22-9-0003, which was bilaterally executed on 05 July 2022, provided additional requirements relating to Statement of Work paragraph 2.4.1.10. Specifically, the revised SOW required J.F. Taylor, Inc., the Project Performer, to purchase baseline Adaptive Layer Framework (ALF) Software, with Government Purpose Rights, and deliver the software using DI-PSC-81488 as guidance. The baseline ALF Software was articulated as Deliverable D67 of the project agreement. Per paragraph 3.0, Reporting/Delivery Requirements, of the SOW, the final version of this deliverable is due 120 days after the Preliminary Design Review.

The baseline ALF software and associated artifacts were delivered to the Government during the period of 06 September 2022 through 03 October 2022. The contents of the disk were inspected and assessed by the program office, with support from the Government's Multi-Use Laboratory Environment (MULE). Based on this assessment, the Government has determined that Deliverable D67 is incomplete.

A software framework, by definition, is a structured piece of software that can be used as a starting point or foundation for software development. Using a software framework allows the developer to be able to take the provided framework for their task and/or platform and quickly build upon it to create their own custom applications. Software frameworks are designed and built to be reusable, to be scalable, to cut down on development time, and to reduce risks by not having to develop an entire piece of software from scratch. A baseline framework should, by definition, address multiple functional aspects, including, but not limited to: defining how processes are managed, how communication is accomplished between components, how health monitoring is performed, how errors are handled, etc.

In reviewing the contents of Deliverable D67, the Government has determined that the delivered software and associated artifacts do not constitute a complete baseline software framework. Per review of the delivered software product and documentation, the Government has determined that the delivered baseline ALF is missing major components in order to complete the framework, namely the Software Development Kit (SDK) with associated documentation, ALF Apps, ALF Core Architectural Design Document (ADD), complete system specifications, and supporting documents including User, Troubleshooting, and Installation Guides.

Specifically, per the ALF ADD, Section 1.1 Paragraph 1, "ALF is a modular and extensible framework that consists of ALF CORE, ALF SDK, ALF Apps, and ALF Products". However, the current ALF delivery is missing reference documentation to the ALF CORE and ALF SDK. Throughout the ALF delivery, the documentation references both the ALF CORE ADD and ALF SDK ADD. From this description and from what was delivered, the Government has determined that the following are missing: ALF CORE, ALF SDK, ALF Apps with the associated documentation including ADDs, Software Design Documents, and both User and Integration Guides. Additionally, the delivered ALF delivery does not provide complete system specifications. For example, ALF did not specify the software version of Network File System server for the Network Attached Storage. Furthermore the delivered ALF is also missing instructions on how a developer can use the delivered ALF code in order to integrate custom functionality and hardware with it onto a platform, and is missing a troubleshooting guide and/or lessons learned document describing any integration issues the contractor faced or solutions to known issues/problems.

Without these items, the Government is unable to utilize the baseline ALF. In short, the delivered ALF does not constitute a software framework, as required by the project agreement SOW. Rather, the delivered ALF product is directly tied to a specific operating system; is directly tied to the hardware it runs on and communicates with; provides no distinction between what parts

of the codebase are not supposed to change (i.e., the framework), versus what the user is allowed to modify, in order to tailor the framework to their application-specific needs; lacks supporting documentation; etc.

Based on this assessment, the Government is concerned that this issue may endanger continued performance under this project agreement. To that end, the Government is requesting input from the Project Performer with regard to how they intend to remedy the content of Deliverable D67 in order to satisfy the fundamental requirements of a baseline ALF by the required delivery date articulated in SOW paragraph 3.0. A response is requested by close of business on 18 November 2022. Please confirm receipt of this communication at your earliest convenience."

Thank you,